



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/037,639	11/09/2001	Peter J. Osbourne	71150-774	6577

7590 01/26/2005

Eric L. Doyle  
Dickinson Wright PLLC  
Suite 800  
1901 L. Street, NW  
Washington, DC 20036

EXAMINER
----------

SCUDERI, PHILIP S

ART UNIT	PAPER NUMBER
----------	--------------

2153

DATE MAILED: 01/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/037,639

Applicant(s)

OSBOURNE ET AL.

Examiner

Philip S. Scuderi

Art Unit

2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 November 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☒ Claim(s) 15 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Objections***

Claim 15 is objected to because of the following informalities: “converting the response from second format to first format” in line 9; and “transmitting a response message” in line 10. The examiner suggests “converting the response from said second format to said first format” and “transmitting a response message” respectively.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With respect to claims 1-7, the body of the claims does not appear to support the preamble, rendering the claims indefinite. The preamble of claim 1 recites the limitation “A computer reservation system”, however claims 1-7 do not claim making a reservation.

With respect to claims 8-14, the body of the claims does not appear to support the preamble, rendering the claims indefinite. The preamble of claim 8 recites the limitation “A computer reservation system”, however claims 8-14 do not claim making a reservation.

With respect to claims 15-17, the body of the claims does not appear to support the preamble, rendering the claims indefinite. The preamble of claim 15 recites the

Art Unit: 2153

limitation "A method for making a computer reservation system", however claims 15-17 do not claim making a reservation.

***Claim Rejections - 35 USC § 102***

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 and 8 are rejected under 35 U.S.C. 102(e) as being anticipated by Bamforth et al. (US 6,330,617, hereinafter "Bamforth").

With respect to claim 1, Bamforth discloses a computer reservation system comprising:

- a server (fig. 2 #205) for receiving commands and transmitting responses (inherent in col. 2 lines 46-48) in a first format (col. 4 lines 19-22);
- a client computer system (fig. 2 #207) for transmitting request messages and receiving response messages in a second format (col. 4 lines 34-38);
- a translator (fig. 2 #201) for receiving request messages in the second format from the client computer system and translating request messages into the first format (col. 3 lines 66-67, col. 4 lines 2-4);
- a processor (fig. 2 #204) for receiving translated request messages from the translator, transforming the translated request messages into commands, transmitting commands to the server (In the system layout discussed in col. 4 lines 11-12 it is inherent that since the server machine 204 interfaces with the CRS that the server machine 204 would receive translated request messages from the data converter 201

Art Unit: 2153

and transmit them to the CRS.), receiving responses from the server, processing responses into processed messages, and transmitting processed messages to the translator (inherent because, as discussed above, the server machine provides the interface to the CRS and so the responses must pass through the server machine 204); and

- the translator receiving processed messages from the processor, translating processed messages into the second format, and transmitting messages in the second format to the client computer system (inherent in col. 4 lines 38-43).

With respect to claim 8, Bamforth discloses a computer reservation system comprising:

- a server (fig. 2 #205) for receiving commands and transmitting responses (inherent in col. 2 lines 46-48) in a first format (col. 4 lines 19-22);
- a translator (fig. 2 #201) for receiving request messages in a second format (col. 4 lines 34-38) from a client computer system (fig. 2 #207) and translating request messages into the first format (col. 3 lines 66-67, col. 4 lines 2-4);
- a processor (fig. 2 #204) for receiving translated request messages from the translator, transforming the translated request messages into commands, transmitting commands to the server (In the system layout discussed in col. 4 lines 11-12 it is inherent that since the server machine 204 interfaces with the CRS that the server machine 204 would receive translated request messages from the data converter 201 and transmit them to the CRS.), receiving responses from the server, processing responses into processed messages, and transmitting processed messages to the translator (inherent because, as discussed above, the server machine provides the

Art Unit: 2153

interface to the CRS and so the responses must pass through the server machine 204);

and

- o the translator receiving processed messages from the processor, translating processed messages into the second format, and transmitting messages in the second format to the client computer system (inherent in col. 4 lines 38-43).

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 2, 3, 9, and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bamforth in view of *Sockets Tutorial* (URL:

Art Unit: 2153

<http://web.archive.org/web/19990502045433/http://www.cs.rpi.edu/courses/sysprog/sockets/sock.html>, 5/2/1999, hereinafter "RPI").

With respect to claims 2 and 9, Bamforth discloses the computer reservation systems applied to claims 1 and 8. Bamforth does not expressly disclose including sockets for communicating request messages between the translator and the client system. RPI defines a socket as one end of an interprocess communication channel (p. 1 lines 13-14). Fig. 2 shows an interprocess communication channel between client machine 207 (client computer system) and data converter 201 (translator). Therefore, Bamforth used sockets for communicating request messages between the translator and the client computer system.

With respect to claims 3 and 10, Bamforth in view RPI teaches the computer reservation systems applied to claims 2 and 9. Bamforth is silent with respect to the format that the client computer system transmits request messages in. The Examiner takes Official Notice that it was very well known in the art to transmit request messages in slash format at the time of invention. An example of a request message in slash format is a URL transmitted using HTTP. Therefore, it would have been obvious to one of ordinary skill in the art to transmit the request messages in slash format. The motivation for doing so would have been so that the client computer system could communicate with the translator over HTTP.

Claims 4-7 and 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bamforth in view of RPI, and further in view of *Simple Object Access Protocol*

Art Unit: 2153

(SOAP) 1.1 (URL: <http://www.w3.org/TR/2000/NOTE-SOAP-20000508/>, 5/8/2000, hereinafter "SOAP Spec").

With respect to claims 4, 5, 11, and 12, Bamforth in view RPI teaches the computer reservation systems applied to claims 3 and 10. Bamforth discloses that the translator translates request messages into Edifact format (col. 4 lines 33-34). Bamforth does not disclose that the translator wraps request messages in SOAP (an XML protocol as evidenced by SOAP Spec p. 1 "It is an XML based protocol.") packets and transmits the SOAP packets to the processor. Nonetheless, wrapping messages in SOAP packets was well known in the art at the time of invention, as evidenced by SOAP Spec. In a similar art, SOAP Spec discloses wrapping messages in SOAP packets (p. 4 Example 1). Given the teachings of SOAP Spec it would have been obvious to one of ordinary skill in the art to adapt the translator to wrap request messages in SOAP packets and transmit the SOAP packets to the processor. The motivation for doing so would have been to utilize the simplicity and extensibility of SOAP (SOAP Spec p. 3 "A major design goal for SOAP is simplicity and extensibility.").

With respect to claims 6 and 13, Bamforth in view RPI teaches the computer reservation systems applied to claims 5 and 12. In view of the above modification of wrapping request messages in SOAP packets it would have been obvious to one of ordinary skill in the art to adapt the processor to return the response to the translator wrapped in SOAP packets. The motivation for doing so would have been so that the response to the translator could be delivered in the same format as the inbound request (SOAP Spec p. 5 "the HTTP binding described in section 6 provides for SOAP response



Art Unit: 2153

messages to be delivered as HTTP responses, using the same connection as the inbound request”).

With respect to claims 7 and 14, Bamforth in view RPI teaches the computer reservation systems applied to claims 6 and 13. Claims 1 and 8 specify that the translator receives request messages in the second format from the client computer (claim 1 lines 5-6, claim 8 lines 3-4) and that the translator translates processed (response) messages into the second format and transmits the response messages in the second format to the client computer system (claim 1 lines 11-13, claim 8 lines 9-11). Claims 6 and 13 specify that the processor transmit SOAP packets back to the translator. SOAP is an XML based protocol (SOAP Spec p. 1 “It is an XML based protocol.”). It has already been established above that the second format is slash format. Therefore, the translator translates processed responses from XML format (SOAP) to slash format (the second format).

Claims 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bamforth in view SOAP Spec.

With respect to claim 15, Bamforth discloses a method for making a computer reservation, the steps comprising:

- o receiving a request message in a first format (As discussed in col. 3 lines 19-23 when a customer desires to book a reservation a communication link is established with the CRS. A request must be sent to establish the communication link. Client machines may use their own format (a first format) as discussed in col. 4 lines 34-38.);

Art Unit: 2153

- translating the request message from the first format to a second format (fig. 2 #201, col. 4 lines 38-43);
- wrapping the translated message in a packet (Col. 4 lines 33-34 discuss the server machine 204 processing data according to the Edifact protocol. The message must therefore be translated and wrapped in an Edifact packet.);
- parsing the packet to determine the operation being called (Server machine 204 must inherently parse the packet and determine the operation being called in order to process requests in the Edifact protocol.);
- calling the operation upon a server (inherent because server machine 204 provides the interface to CRS 205 (server) as discussed in col. lines 11-12);
- creating a response document from the response from the server (inherent in view of col. 4 lines 38-40, After making a request of the CRS a response document must be received that data converter 201 translates);
- converting the response from the second format to the first format (col. 4 lines 38-40); and
- transmitting a response message in the first format (col. 4 lines 38-40, the fixed format message is provided to the client machine).

Bamforth does not disclose wrapping the translated message in a SOAP packet.

Nonetheless, wrapping messages in SOAP packets was well known, as evidenced by SOAP Spec. In a similar art, SOAP Spec discloses wrapping messages in SOAP packets (p. 4 Example 1). Given the teachings of SOAP Spec it would have been obvious to one of ordinary skill in the art to adapt the translator to wrap the translated message in SOAP packets. The motivation for doing so would have been to utilize the simplicity and

Art Unit: 2153

extensibility of SOAP (SOAP Spec p. 3 “A major design goal for SOAP is simplicity and extensibility.”). In view of the above modification of wrapping the translated message in a SOAP packet it would have been obvious to one of ordinary skill in the art to make the response document from the response from the server a SOAP response document. The motivation for doing so would have been so that the response to the translator could be delivered in the same format as the inbound request (SOAP Spec p. 5 “the HTTP binding described in section 6 provides for SOAP response messages to be delivered as HTTP responses, using the same connection as the inbound request”). In order to convert the response from the second format back to the first format the SOAP response document must inherently be unwrapped.

With respect to claim 16, Bamforth in view of SOAP Spec teaches the method for making a computer reservation applied to claim 15. Bamforth further discloses that data converter 201 comprises a conversion engine 203 for retrieving particular functions for performing data conversion depending on the segments or fields within a received message. The data converter must parse (verify) the received message in order to perform this function.

With respect to claim 17, Bamforth in view of SOAP Spec teaches the method for making a computer reservation applied to claim 17. Bamforth is silent with respect to the format that the client computer system transmits request messages in. The Examiner takes Official Notice that it was very well known in the art to transmit request messages in slash format at the time of invention. An example of a request message in slash format is a URL transmitted using HTTP. Therefore, it would have been obvious to one of ordinary skill in the art to transmit the request messages in slash format. The motivation

Art Unit: 2153

for doing so would have been so that the client computer system could communicate with the translator over HTTP. As discussed in the rejection of claim 15, the translated messages are wrapped in SOAP packets. SOAP is an XML protocol (SOAP Spec p. 1 "It is an XML based protocol."). Therefore, the translating the request message includes translating the request from slash format to XML format. It has been established above that the first format is slash format, so it is inherent that the step of transmitting a response message further includes transmitting a response message in slash format.

### *Conclusion*

The following prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Marmor (US 6,601,108); Guck (US 5,911,776); Kikinis (US 5,727,159); Boucher et al. (US 5,884,246); Webber et al. (US 5,021,953); Carlino et al. (WO 00/39666).

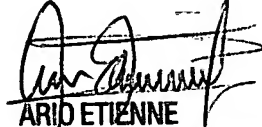
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip S. Scuderi whose telephone number is (571) 272-5865. The examiner can normally be reached on Monday-Friday 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton B. Burgess can be reached on (703) 305-4792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2153

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PSS

  
ARJO ETIENNE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100